The meeting of the Council of the Town of Altavista was held in the Council Chambers of the J.R. Burgess Municipal Building, 510 Seventh Street on September 9, 2014 at 7:00 p.m.

- 1. Mayor Mattox called the meeting to order and presided.
- 2. Rev. David Sage, Grace Community Church, gave the invocation.

Council members

present: Mayor Michael Mattox

Mrs. Beverley Dalton Mr. Charles Edwards Mr. Tracy Emerson Mr. Bill Ferguson Mr. Timothy George Mr. Jay Higginbotham

Also present: Mr. J. Waverly Coggsdale, III, Town Manager

Mr. Daniel Witt, Assistant Town Manager Mrs. Tobie Shelton, Finance Director Chief Kenneth Walsh, Police Department

Mr. David Garrett, Public Works/Utilities Director

Mr. John Eller, Town Attorney Mrs. Mary Hall, Administration

3. Mayor Mattox asked if there were any questions regarding the agenda.

A motion was made by Mr. Ferguson, seconded by Mr. Emerson, to approve the agenda.

Motion carried:

VOTE:	Mr. Michael Mattox	Yes
	Mrs. Beverley Dalton	Yes
	Mr. Charles Edwards	Yes
	Mr. Tracy Emerson	Yes
	Mr. Bill Ferguson	Yes
	Mr. Timothy George	Yes
	Mr. Jay Higginbotham	Yes

#### 4. Public Comment

Mayor Mattox asked if anyone would like to come forward and address Council in regards to anything not listed on the agenda.

No one came forward.

- 5. Special Items or Recognitions
- 6. Consent Agenda
  - a) Approval of Minutes- Work Session August 12<sup>th</sup>; Regular Meeting August 12<sup>th</sup>
  - b) Approval of Authorization for Town Manager to execute USDA (RBEG) Grant
  - c) Receive monthly review of Invoices
  - d) Receive monthly review of Revenue & Expenditures
  - e) Receive monthly review of Reserve Balance/Investment Report
  - f) Departmental Monthly Reports
    - Administration
    - Community Development
    - Economic Development
    - Police Department
    - Public Works/Utility Department

### Transit System

A motion was made by Mr. George, seconded by Mr. Emerson, to approve the items as listed on the consent agenda.

Motion carried:

VOTE:	Mr. Michael Mattox	Yes
	Mrs. Beverley Dalton	Yes
	Mr. Charles Edwards	Yes
	Mr. Tracy Emerson	Yes
	Mr. Bill Ferguson	Yes
	Mr. Timothy George	Yes
	Mr. Jay Higginbotham	Yes

## 7. Public Hearings

a) Proposed Issuance of General Obligation Public Improvement Bonds

Mr. Coggsdale advised prior to issuance of General Obligation Bonds, the Town of Altavista must conduct a public hearing. This public hearing is in regard to the potential issuance of a general obligation public improvement bond in the estimated maximum amount of \$7,400,000 for the purpose of financing capital costs related to the Town's water system. This will allow the Town to borrow up to this amount for water improvement projects over the next few years if deemed necessary.

Mayor Mattox opened the meeting at 7:03 p.m. and asked if anyone would like to come forward to speak on the proposed issuance of the General Obligation Public Improvement Bonds.

No one came forward.

Mayor Mattox closed the meeting at 7:03 p.m.

- 8. Standing Committee/Commission/Board Reports
  - a) Council Committees
    - i. Finance/Human Resources Committee

Project 1A Bid Award/Water Infrastructure Financing Plan

Mrs. Dalton advised at last month's Council meeting Council considered the bids for Project 1A (Bedford Avenue Water Line Improvement) and asked our engineers to negotiate with the contractor, as the bid was over the budget estimate. The contractor and engineer discussed options regarding a "lump sum" deduct for rock and the provision of unit costs for such items. Based on this information it is the engineer's recommendation not to accept this amendment to the bid and proceed with the original base bid. She advised it is the engineer's recommendation that Council award Project 1A (Bedford Avenue Water Line) to DLB, Inc. utilizing Base Bid Items 1-4 in the amount of \$3,796,322 which does not include Bid Item No. 5 or Additive Bid Item No. 1.

Mrs. Dalton motioned that the Altavista Town Council accept the bid of DLB, Inc. in the amount of \$3,796,322 for the Project 1A (Bedford Avenue Water Line) bid items 1-4 and authorize the Town Manager to execute all necessary documents related to this project.

Motion carried:

VOTE: Mr. Michael Mattox Yes

Yes Mrs. Beverley Dalton

Mr. Charles Edwards	Yes
Mr. Tracy Emerson	Yes
Mr. Bill Ferguson	Yes
Mr. Timothy George	Yes
Mr. Jay Higginbotham	Yes

Mrs. Dalton advised earlier tonight, Town Council conducted a Public Hearing regarding the issuance of General Obligation Bonds for Public Improvements, which could include the first two identified projects (1A and 1B). The Committee reviewed the bank bid information for Project 1A submitted by our financial consultant and have recommended that the Town accept the proposal from Carter Bank & Trust for a 20 year loan.

Mrs. Dalton motioned that the Altavista Town Council adopt the ordinance entitled "Ordinance Authorizing the Issuance of General Obligation Public Improvement Bonds of the Town of Altavista, Virginia, in a Principal Amount Not to exceed \$7,400,000."

Mr. Higginbotham asked Ms. Dianne Klaiss, Senior Vice President, Mid-Atlantic Public Finance, to review the interest rates with citizens in attendance.

Ms. Klaiss gave a brief summary of the proposals received from three banks; BB & T, Carter Bank and Trust and First National Bank of Altavista. She noted of the three Carter Bank and Trust offered more flexibility and the most conservative approach to borrowing.

#### Motion carried:

VOTE:	Mr. Michael Mattox	Yes
	Mrs. Beverley Dalton	Yes
	Mr. Charles Edwards	Yes
	Mr. Tracy Emerson	Yes
	Mr. Bill Ferguson	Yes
	Mr. Timothy George	Yes
	Mr. Jay Higginbotham	Yes

Mrs. Dalton advised adoption of the resolution entitled: "Resolution Providing For the Issuance and Sale of a General Obligation Public Improvement Bond, Series 2014, of the Town of Altavista, Virginia, heretofore Authorized, and Providing for the Form, Details and Payment Thereof." is also required. By this resolution the Council (a) approves the general financial terms of the limited obligation bond (LOB) sale, (B) approves the draft documents as substantially final documents, (c) acknowledges to comply with certain federal tax and securities laws, and (d) authorizes staff to complete the financing. Mrs. Dalton noted the resolution lists the principal amount of \$5,027,400 which was an original estimate when the bid process began. The figure will be revised closer to the closing date on the borrowing.

A motion was made by Mrs. Dalton, seconded by Mr. Edwards, that the Altavista Town Council adopt the resolution entitled: "Resolution Providing For the Issuance and Sale of a General Obligation Public Improvement Bond, Series 2014, of the Town of Altavista, Virginia, heretofore Authorized, and Providing for the Form, Details and Payment Thereof."

# Motion carried

Motion carried:		
VOTE:	Mr. Michael Mattox	Yes
	Mrs. Beverley Dalton	Yes
	Mr. Charles Edwards	Yes
	Mr. Tracy Emerson	Yes
	Mr. Bill Ferguson	Yes

Mr. Timothy George	Yes
Mr. Jay Higginbotham	Yes

Project 1A (Bedford Avenue Waterline) budget:

#### **PROJECT 1A (Bedford Avenue Water Line)**

Engineering	139,500
Railroad Permit Fees	22,300
Construction Bid	3,796,322
Contingency (5%)	189,816
Inspection Services	93,600
Issuance Costs	<u>30,000</u>
Estimated Budget	4,271,538

Mrs. Dalton advised Council previously adopted a Reimbursement Resolution that allows for the Town to be paid back for expenses that have already been incurred for this project. At this time, staff needs direction from Council on whether they would like any expenses reimbursed from this project. To date the Town has incurred expenses totaling approximately \$131,000 for engineering and the railroad permit fees. This decision is necessary so that near closing staff can better estimate the amount of the actual borrowing. Staff will create the appropriate budget amendment(s) related to this project for future ratification. Mrs. Dalton reported the Finance Committee recommends not reimbursing themselves; it is monies that have already been expended from last year's budget.

It was the consensus of Council that the Town not pay themselves back for expenses already incurred for this project.

### <u>Professional Services Proposal – PCB issues</u>

Mrs. Dalton asked that the Council meeting be continued to Monday, September 15, 2014 at 4:00 p.m. to discuss information received on PCB issues.

## Tree Plan Funds

Mrs. Dalton advised the Finance Committee considered the recommendation of the Public Works/Utility Committee to approve the tree plan drafted by the Recreation Committee and approve funds in the amount of \$3,500 for its implementation for English Park and other parks.

Mrs. Dalton motioned that \$3,500 from reserves be approved for implementation of the tree plan for the recreational areas, as presented.

# Motion carried:

Monon Carried.		
VOTE:	Mr. Michael Mattox	Yes
	Mrs. Beverley Dalton	Yes
	Mr. Charles Edwards	Yes
	Mr. Tracy Emerson	Yes
	Mr. Bill Ferguson	Yes
	Mr. Timothy George	Yes
	Mr. Jay Higginbotham	Yes

## **Health Insurance plans**

Mrs. Dalton reported staff continues to evaluate health insurance options based on the previous criteria given by Council in an effort to find a more viable long term solution. Staff has met with local individuals connected to the health insurance industry and they are assisting in exploring additional options. It is anticipated that an update will be provided to the Committee and Council in the coming weeks.

### Personnel/Town Policy Update

Mrs. Dalton reported staff discussed with the Committee the need for an update to the Town's Personnel Manual (Employee Handbook), which became effective September 1, 2004. In addition, staff would like to begin a process by which to review and update, if needed, town policies (some which have been in place since the mid 1980's). Staff will continue to evaluate how these items can be completed and report back to the Committee.

## ii. Police/Legislative Committee

### Take Home Vehicles Policy

Mr. Edwards advised staff provided information to the Committee on the current use of vehicles for "take home" use as well as information from other sources regarding the issue. Chief Walsh provided a memorandum that recommended that police department "command staff" (Lieutenant and above) be assigned a take home vehicle, provided that they live within a distance of ten (10) miles from the Altavista Corporate Limits. The Committee discussed the current situation involving take home vehicles for the police department, which includes three individuals and were agreeable that these may continue, but did not reach a consensus on a policy to be implemented in the future. The two concepts discussed were:

1) No expansion of existing policy; or 2) Keeping current plan but allowing Command staff within a ten (10) mile radius a take home vehicle going forward.

Mayor Mattox noted since this meeting, the discussion has been to freeze what is done now until a new policy is put into place.

It was the consensus of Council to freeze what is now in place with the "take home" vehicles and update the "take home" vehicle policy.

#### Pawn Shop Regulations

Mr. Edwards advised the Committee reviewed the information that was provided by the Town Attorney at the previous Town Council meeting regarding potential ordinance amendments regarding pawn shops. The process by which a pawn shop can operate is covered in the Code of Virginia, although local governments can also incorporate additional language that addresses the number of pawn shops that may operated in a locality and/or the fee associated with the issuance of a permit. Mr. Edwards advised pawn shops provide police departments with a listing of items taken in on daily basis which requires officers to review this listing and felt there should be a charge

Mr. Eller advised he had contacted several towns to verify their charges on such and reported this to Council. He also presented Council with a modified ordinance with license fees and provisions.

Mr. Edwards advised the Committee discussed these items and recommends an ordinance be drafted that cites the Code of Virginia, limits the number of pawn shops in Town to two and sets a permit fee. The amount of the permit

fee was not agreed upon but the two amounts considered were \$200 or \$1,000. The Committee asked staff to review this item and report back at the Council meeting.

Mr. Thomas McCue, owner of Pawn Solutions, 126 Summerdale Lane, Evington, VA, came forward to answer questions from Council.

Mr. George referred to the various fees required and then asked Mr. McCue about the reports they submit to the police department.

Mr. McCue advised with the software used, every transaction requires that the customer be entered, along with their identification being scanned and phone number with property that is either purchased or pawned. This information is forwarded to the police departments.

A motion was made by Mr. George, seconded by Mr. Emerson, that the permit fee be set at zero.

Mr. Edwards felt there should be a charge because of the time used by the Police Department to review.

#### Motion carried:

TOTION CUITION.		
VOTE:	Mr. Michael Mattox	Yes
	Mrs. Beverley Dalton	Yes
	Mr. Charles Edwards	No
	Mr. Tracy Emerson	Yes
	Mr. Bill Ferguson	Yes
	Mr. Timothy George	Yes
	Mr. Jay Higginbotham	Yes

Mr. Eller read the following ordinance:

An Ordinance to add to the Code of the Town of Altavista, 1968, a new Article V consisting of Sec. 22-133 relating to Pawnbrokers.

Be it ordained by the Town Council of the Town of Altavista:

That a new Article V "Pawnbrokers" consisting of Sec. 22-133 be added to the

Code of the Town of Altavista as follows:

#### Sec. 22-133. Pawnbrokers.

- Sections 54.1-4000 through 54.1-4014, Code of Virginia, regulating and controlling pawnbrokers are hereby adopted by reference and shall be enforced within the town. Pursuant to the provisions of Section 1-13.39:2 of the Code of Virginia, future amendments to the sections of the Code of Virginia that are incorporated in this section are also incorporated by reference herein.
- В. Not more than two pawnshops may operate within the corporate limits of the Town of Altavista at any one time
- This Ordinance shall become effective immediately upon passage by the Town Council of the Town of Altavista.

A motion was made by Mr. Emerson, seconded by Mr. George, to adopt the new ordinance limiting two pawn shops in the town at any one time as presented by Attorney Eller.

Motion	carried:

Monon Carrieu.		
VOTE:	Mr. Michael Mattox	Yes
	Mrs. Beverley Dalton	Yes
	Mr. Charles Edwards	Yes
	Mr. Tracy Emerson	Yes
	Mr. Bill Ferguson	Yes

Mr. Timothy George Yes Mr. Jay Higginbotham Yes

Mr. Eller mentioned he had sent a letter to Pawn Solutions after the last Council and they immediately began working towards the requirements.

### iii. Public Works/Utility Committee

Tree Removal - Main Street

Mr. Ferguson advised staff has been working with VDOT in regard to a partnership to remove the large trees along Main Street. This conversation began with a local business indicating that trees adjacent to their building was causing problems due to leaves dropping in their gutter system. Based on past discussion, staff was seeking to work with VDOT and it was indicated that the Town could request the work to be done through a VDOT contractor. In addition, VDOT requested that in exchange for the tree removal that the Town assume the expense of grinding the stumps and replace any sidewalk that has been damaged. Staff believes this is a very good partnership if Council wants the thirteen trees along Main Street removed.

Mr. Ferguson motioned that the Town Manager be authorized to execute an agreement with VDOT in regard to removal of trees along Main Street and the Town assume the cost for the stumps and sidewalks as indicated.

#### Motion carried:

VOTE:	Mr. Michael Mattox	Yes
	Mrs. Beverley Dalton	Yes
	Mr. Charles Edwards	Yes
	Mr. Tracy Emerson	Yes
	Mr. Bill Ferguson	Yes
	Mr. Timothy George	Yes
	Mr. Jay Higginbotham	Yes

Other Items Discussed

WWTP Emergency Overflow Pond (PCB Issue) Discussion

Referred to the continued meeting, September 15, 2014

Tree Plan – English Park

At the August Town Council meeting, the Recreation Committee submitted a plan that would incorporate trees into English Park, as well as other recreational areas in Town. The Committee reviewed the Recreation Committee's recommendation and agreed, forwarding the issue of funding to the Finance/HR Committee.

Utility Department operations/Use of Technology

The Committee previously requested that staff review the staffing of the utility plants and the feasibility of the use of technology to possibly reduce operational costs. The Committee was updated on the process.

Private Drive Maintenance Request

The Committee continued discussion regarding a citizen's request to maintain a private drive off Eudora Lane. Although it appears that at some point in the past that the Town surface treated this area, the Committee felt it was not in the Town's best interest to continue this practice. Staff will inform the citizen.

#### Water Pressure Issues

The Committee was updated on staff's efforts to address water pressure issues primarily associated with the Melinda Drive tank. In addition, staff is completing a RFP for services related to evaluation of the water pressure issue and the inclusion of the Dearing Ford elevated water tank that was recently received from Campbell County.

#### 9. New Business

#### a) Consideration of Delinquent Tax List for 2013 and Write Offs

Mrs. Shelton addressed Council and advised they were provided the annual listing of delinquent taxpayers as required by Section 70-3 of the Town code. This year's outstanding taxes total \$31,632.40. A decrease over last year's listing by approximately \$2,000. Personal Property taxpayers account for the majority of the listing totaling \$18,685.50 - most of which are taxes on vehicles. Department of Motor Vehicles has been authorized to place stops on all active vehicles owned by these taxpayers. Mrs. Shelton noted there is a \$40 administrative fee for a stop to be removed; half of the revenue remains with the Town and half is forwarded to DMV. The remainder of the listing accounts for outstanding real estate taxes totaling \$12,946.90. Mrs. Shelton requested permission from Council to advertise the presented listing of delinquent taxpayers in the Altavista Journal and to prorate the cost of the ad to the delinquent taxpayers. She mentioned prior to putting forth aggressive collecting efforts, over the last eight years, we collected on average 98.67% of taxes billed each year. After advertising and placing stops on vehicles, the collection efforts over these eight years increased to an average of 99.84%. Mrs. Shelton also requested permission from Council to writeoff delinquent taxes for deceased individuals in the amount of \$308.80; delinquent personal property taxes under \$20.00 in the amount of \$8.32; and for uncollectible real estate taxes in the amount of \$798.45. Mrs. Shelton advised due to the statue of limitations regarding personal property taxes, the 2009 taxes in the amount of \$3,367.24 are due to be written off. I would like to request permission from Council to write-off the 2009 delinquent personal property taxes with collection efforts continuing thru June 2015.

A motion was made by Mr. Edwards, seconded by Mrs. Dalton, that the Delinquent Tax List be printed in the Altavista Journal; Delinquent Taxes: Real Estate: \$12,946.90 Personal Property: \$18,685.50

## Motion carried:

VOTE:	Mr. Michael Mattox	Yes
	Mrs. Beverley Dalton	Yes
	Mr. Charles Edwards	Yes
	Mr. Tracy Emerson	Yes
	Mr. Bill Ferguson	Yes
	Mr. Timothy George	Yes
	Mr. Jay Higginbotham	Yes

A motion was made by Mr. Edwards, seconded by Mr. Higginbotham, that the Delinquent Taxes for deceased individuals be written off, in the total of \$308.80.

# Motion carried:

VOTE:	Mr. Michael Mattox	Yes
	Mrs. Beverley Dalton	Yes
	Mr. Charles Edwards	Yes
	Mr. Tracy Emerson	Yes
	Mr. Bill Ferguson	Yes

Mr. Timothy George Yes Mr. Jay Higginbotham Yes

A motion was made by Mr. Edwards, seconded by Mr. Higginbotham, that the Delinquent Personal Property Taxes under \$20.00 be written off, in the amount of \$8.32.

## Motion carried:

VOTE:	Mr. Michael Mattox	Yes
	Mrs. Beverley Dalton	Yes
	Mr. Charles Edwards	Yes
	Mr. Tracy Emerson	Yes
	Mr. Bill Ferguson	Yes
	Mr. Timothy George	Yes
	Mr. Jay Higginbotham	Yes

A motion was made by Mr. Edwards, seconded by Mr. Ferguson, that the 2009 Delinquent Taxes be written off, due to statute of limitations, regarding personal property taxes in the amount of \$3,367.24.

# Motion carried:

VOTE:	Mr. Michael Mattox	Yes
	Mrs. Beverley Dalton	Yes
	Mr. Charles Edwards	Yes
	Mr. Tracy Emerson	Yes
	Mr. Bill Ferguson	Yes
	Mr. Timothy George	Yes
	Mr. Jay Higginbotham	Yes

A motion was made by Mr. Edwards, seconded by Mr. Higginbotham, that the delinquent real estate taxes that are uncollectable in the amount of \$798.45 be written off.

## Motion carried:

VOTE:	Mr. Michael Mattox	Yes
	Mrs. Beverley Dalton	Yes
	Mr. Charles Edwards	Yes
	Mr. Tracy Emerson	Yes
	Mr. Bill Ferguson	Yes
	Mr. Timothy George	Yes
	Mr. Jay Higginbotham	Yes

# b) Consideration of Regional Investigation Squad Resolution

Mr. Coggsdale presented Council with the Regional Investigation Squad Resolution for their consideration.

A motion was made by Mrs. Dalton, seconded by Mr. George, to adopt the Regional Investigation Squad Resolution.

## Motion carried:

monon curricu.		
VOTE:	Mr. Michael Mattox	Yes
	Mrs. Beverley Dalton	Yes
	Mr. Charles Edwards	Yes
	Mr. Tracy Emerson	Yes
	Mr. Bill Ferguson	Yes
	Mr. Timothy George	Yes
	Mr. Jay Higginbotham	Yes

#### **RESOLUTION**

WHEREAS, for a number of years the cities, counties and towns in Central Virginia and their law enforcement agencies have participated in mutual aid agreements; and,

WHEREAS, these mutual aid agreements have (a) helped promote regional cooperation among law enforcement agencies (b) helped participating jurisdictions provide law enforcement services and (c) helped enhance the overall quality of law enforcement services in Central Virginia; and,

WHEREAS, on July 17, 1974, the Town of Altavista to enter into a mutual aid agreement with Amherst County, Appomattox County, Bedford County, Campbell County, the City of Bedford, the City of Lynchburg, the Town of Amherst, the Town of Appomattox, and the Town of Brookneal, for the establishment of a Regional Investigation Squad to assist the participating localities in investigating major criminal offenses in the Central Virginia area; and,

WHEREAS, the Regional Investigation Squad mutual aid agreement needs to be updated to reflect amendments to the Virginia Code, to reflect the City of Bedford's reversion to a Town, to allow Nelson County, Pittsylvania County, the Town of Bedford, and the Virginia Department of State Police to participate in the Regional Investigation Squad mutual aid agreement, and to reflect the fact that law enforcement services in the Town of Appomattox are provided by the Appomattox County Sheriff's Department; and,

NOW, THEREFORE, BE IT RESOLVED that the Altavista Town Council hereby authorizes the Town to enter into a written mutual aid agreement for the establishment of a Regional Investigation Squad with Amherst County, Appomattox County, Bedford County, Campbell County, Nelson County, Pittsylvania County, the City of Lynchburg, the Town of Amherst, the Town of Bedford, the Town of Brookneal, the Virginia Department of State Police, and their respective law enforcement agencies, and hereby authorizes the Town Manager and the Chief of Police to execute the Regional Investigation Squad mutual aid agreement on behalf of the Town of Altavista.

Adopted: _		
Certified: _	Clerk of Council	

# 10. Unfinished Business

Mr. Coggsdale presented Council with a letter for consideration to Mr. Ralph English as requested by Council at last month's meeting.

It was the consensus of Council to mail this letter to Mr. English.

September 9, 2014

Mr. Ralph English 205 River Oaks Drive Altavista, VA 24517

Dear Ralph;

On behalf of the Altavista Town Council, the town staff and our citizens, I would like to thank you for your recent donation of the memorial statue that will be placed at the War Memorial. Your involvement with the local

veteran groups spearheaded the efforts to refurbish the War Memorial and these actions show as a testimony to our community's commitment to honor those that have served and given the ultimate sacrifice.

Your family, now and in the past, have been tremendous supporters of the efforts of the Town, always providing insight and resources to help create a community in which we can all take great pride. Your contributions continue to show others the benefit that one can make in their community by caring and being involved.

Thank you again for your commitment to this wonderful place, we all call "home"!

Sincerely,

Mike Mattox, Mayor Altavista Town Council

- 11. Manager's Report
  - a) Town Council Calendars (September/October)
  - b) Other Items as Necessary
- 12. Matters from Town Council
- 13. Closed Session

Mayor Mattox asked if there was anything else to bring before Council.

The meeting was continued to Monday, September 15 at 4:00 p.m.

J. Waverly Coggsdale, III, Clerk